

CITIZENSHIP FOR CHONG HO KWAK

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Pennsylvania (Mr. GEKAS) is recognized during morning hour debates for 5 minutes.

Mr. GEKAS. Madam Speaker, to all who are within the sound of our voice this morning, I want to express my appreciation to a number of people for the moment that we are about to embrace here on the floor of the House.

Very shortly now we will be considering a special bill, a private bill in which the Congress of the United States will confer a benefit on one of our fellow citizens. I say one of our fellow citizens advisedly because that is exactly why the Congress has had to act in this extraordinary way, to pass a bill that confers a benefit directly on one individual.

Here is what happened. Chong Ho Kwak, a Korean immigrant, came to our country legally, worked and supported his family, did all of the things necessary to become an American citizen, focused on becoming an American citizen because that was the light of his life, to finally gain the status that everyone in the world yearns to have, the status of being a bona fide American citizen.

So he studied English, he studied the history of our country, he engaged in the special classes that are set for people who want to become citizens with all that that entails, and then, when the time came to take the test, nervous as he was, he went to the appointed place and presented himself for the purpose of undergoing the examinations that are necessary before one becomes a citizen. He passed them royally and was ecstatic, as was his family.

He passed the exams and he was ready now to take the oath of citizenship for the greatest honor that would ever be bestowed on him in his own mind, and in those of us who recognize how important that is for a person eager to become an American citizen.

Then, a tragic thing happened. About two months before the scheduled event for the naturalization ceremony in which he would take his oath, he, Mr. Kwak, while operating his small grocery store, was attacked and robbed, shot in the head, and rendered unconscious, of course, and was relegated to a hospital where he still lingers in a coma from which he has never been able to revive himself and which has engendered much sympathy and much newsprint, as it were, covering that tragic event and all of its consequences.

The young thugs who attacked him got very little reward, were sentenced, and even as we speak are probably finishing out their sentences as the court might have dealt out to them, but Mr. Kwak is sentenced for the rest of his life to a long-term care facility, barely able to exist, let alone live a normal life.

Well, now what has happened? He was not able to take the oath of naturalization because of his condition. We asked the Immigration and Naturalization Service to outline a special circumstance for this individual and to permit him to be conferred a citizen of the United States, even without taking the oath, because of the circumstances. He could not raise his arm and do the natural things that are required to undertake an oath of naturalization.

The INS refused to do this, saying that the book by which they conduct their naturalization actually requires, and there is no straying from it, according to them, no veering away from it, that he must take the oath. We pointed out that we have attended many naturalization services where an infant, a young child is held in the arms of a parent who is an American citizen and the citizenship is conferred on this youngster who could not know what the meaning of the oath of office that was undertaken by his parent. Is that not similar, we said. Here is an individual who, because he was shot in the head, would not be able to understand the oath of allegiance to the United States, but nevertheless all of us who know that he passed the examination and was that split second short of being able to become an American citizen.

Madam Speaker, we will conduct a bill at 10 o'clock this morning which will confer citizenship on Mr. Kwak.

U.S. CONTINUES TO IGNORE PLIGHT OF KURDISH PEOPLE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentlewoman from Oregon (Ms. FURSE) is recognized during morning hour debates for 2 minutes.

Ms. FURSE. Madam Speaker, I rise today on behalf of 40 million people who have an identity, but do not have a country. The Kurdish people. Their land continues to be a setting for war and destruction that has lasted for decades.

The Kurds are a persecuted minority. It is a crime in Turkey to talk about Kurds or Kurdish issues. One cannot fly a Kurdish flag or even address another by his Kurdish name.

Madam Speaker, I am outraged wherever violations of human rights occur, but I am particularly enraged and distressed that our country continues to ignore the Kurdish people and their plight. For years, the U.S. has neglected reports and testimony from the Kurdish people about the human rights violations. Madam Speaker, our government must engage in and develop a Kurdish policy. We cannot continue to stand by as millions of their people suffer.

Now, Turkey is an important partner of the United States. It is a NATO member, gets huge amounts of money from us, but its abuses of the Kurdish people are unacceptable.

I would like to draw my colleagues' attention to Leyla Zana, who is an elected member of the Turkish Parliament. She is the first Kurdish woman to ever be elected. She is also a nominee for the Nobel Peace Prize. But Leyla Zana was arrested and severely tortured by the Turkish police in 1988. What was her crime? She engaged in peaceful demonstrations on behalf of prisoners who were also being tortured, and for respect for human dignity and the universal declaration of human rights. Leyla Zana, a parliamentarian, is currently serving a 15-year sentence with 4 other Kurdish members of the Turkish Parliament.

Leyla Zana writes, and I quote, that she is determined "to continue by peaceful means the struggle for peace between Kurds and Turkey, for democracy and for respect for human rights." She goes on to say, "These are the universal values which must unite us."

As elected officials here in the United States, we must speak out against abuses and develop a Kurdish U.S. policy.

HOME HEALTH CARE SYSTEM SUFFERING STATE OF EMERGENCY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentlewoman from Michigan (Ms. STABENOW) is recognized during morning hour debates for 5 minutes.

Ms. STABENOW. Madam Speaker, I rise today to declare a state of emergency. Our home health care industry is suffering from drastic cuts to the Medicare reimbursement system that was done in last year's balanced budget agreement. Cuts were made to reduce fraud and abuse, but these cuts unfortunately have had unintended consequences.

To date, over 1,200 home health agencies have gone out of business, and that number is expected to triple by the end of September, and these are not the high-cost agencies. Families are suffering. The new payment system for home health is so restrictive that patients who require the most expensive care will be the first to lose their care. The sickest and most feeble will be left in the cold.

I have visited many families and have made many home visits over the years. I know how important it is for individuals to receive care in their own home whenever possible where they can be surrounded by family and friends who love them. We are not just talking about the elderly, we are talking about children, we are talking about the disabled, anyone who needs to be in their home and receive home health care.

Home health care is a critical element of our Nation's health care safety net and that safety net is quickly unraveling as more and more patients are unable to receive care and more and more home health care agencies shut their doors.

Madam Speaker, I would like to put a human face on this issue and share one of the many constituent letters I have received from families who are afraid that a loved one will lose their home health care.

Dear Ms. Stabenow:

Suppose you were 84 years old, living on a Social Security monthly check of \$650 in a small town. Suppose further that approximately one-and-a-half years ago you were declared legally blind because of complications from diabetes, and then one year ago you fell and broke your hip, but most importantly, through all of this you kept a sound mind and you owned your own home and had lived alone since your husband died 25 years earlier.

Now suppose also that when you broke your hip you had to be put in a nursing home, and the only one with available beds was 45 minutes from your home, family and friends. Now, further suppose that thanks to a home health care program, you were able to return home where you could live in your own home, talk to your friends on the telephone, attend senior citizen functions, keep your dog, and live somewhat of a normal life. All of this is possible because home health care is provided:

A nurse to oversee administering of daily insulin, which you could not give yourself because you could not see, and an aid to come in twice a day for an hour to make sure you were well, got your bath, had breakfast and dinner, and had regular contact with the outside world.

I do not have to suppose any of this, because that 84 year old woman is my mother. I am not a great supporter of government programs, but taking care of our elderly so they can live with dignity has got to be a valid issue for government.

After such a long introduction, why am I writing this, my first-ever letter to a Congresswoman? Why, because the Balanced Budget Act has endangered my mother's home health care. She is in danger of losing her home and really, her life. The spending limits will cause the Health Department to drop her from the program. The only alternative is a nursing home. My mother cannot continue to live alone without the assistance that she has been receiving. Please help to restore the budget cuts in Medicare.

I urge my colleagues today to act quickly. There are many initiatives that have been introduced by the gentleman from Massachusetts (Mr. MCGOVERN); the gentleman from Oklahoma (Mr. COBURN); the gentleman from West Virginia (Mr. RAHALL); the gentleman from New Jersey (Mr. PAPPAS); the gentleman from Rhode Island (Mr. WEYGAND), to name just a few, and there are several bills. Unfortunately, we must act now if we are going to solve this issue in time for too many families.

First, I am pleased to join with the gentleman from Oklahoma (Mr. COBURN); the gentleman from Massachusetts (Mr. MCGOVERN); and the gentleman from Rhode Island (Mr. WEYGAND) today in urging the immediate adoption of the Home Health Access Preservation Act, a bill that will correct many of these problems, and I urge immediate consideration by this House.

If this does not happen quickly, then I would secondarily urge that the bill introduced by the gentleman from

West Virginia (Mr. RAHALL) and myself and others that would place a 3-year moratorium on the interim perspective payment system for home health care benefits be passed immediately. We must act either to fix the problem or put a moratorium on the current payment system until it is fixed, or we are going to see more and more serious repercussions for our families.

Madam Speaker, after a serious examination of the data, I believe that either of these approaches are budget-neutral. The Balanced Budget Agreement has targeted \$16.1 billion in savings to home health care. But the new CBO baseline now projects Medicare savings will exceed \$26 billion.

This is \$9.9 billion more than the expected savings from the Balanced Budget Agreement. Unfortunately this savings has been achieved on the backs of efficient, quality home care providers and the people who need care.

In the next few days I will be asking my colleagues to join me in a letter to President Clinton and to Speaker Gingrich. The letter will urge them to recognize the crisis in the home health care industry and implore them to make the resolution of this crisis a national priority. Congress should not let one more family or one more senior citizen suffer. Madam Speaker, I urge my colleagues to sign these letters and to get involved in finding an immediate solution to this home health care crisis. Thank you.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 10 a.m.

Accordingly (at 9 o'clock and 33 minutes a.m.), the House stood in recess until 10 a.m.

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AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DICKEY) at 10 a.m.

PRAYER

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

With Your goodness to us that is so freely given we place before You, O God, our personal petitions and pray that You would give strength when we are weak, heal us when we are hurt, forgive us when we miss the mark and encourage us to hear Your word and receive Your grace. We are grateful for so much and yet our needs are great, so we ask in this our prayer that Your spirit would abide in our hearts and Your presence live deep in our souls. May we be the people You would have us be and do those things that honor You and serve people everywhere. This is our earnest prayer. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Illinois (Mr. SHIMKUS) come forward and lead the House in the Pledge of Allegiance.

Mr. SHIMKUS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PRIVATE CALENDAR

The SPEAKER pro tempore. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

LARRY ERROL PIETERSE

The Clerk called the bill (H.R. 379) for the relief of Larry Errol Pieterse.

There being no objection, the Clerk read the bill as follows:

H.R. 379

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. WAIVER OF GROUNDS FOR REMOVAL OF, OR DENIAL OF ADMISSION TO, LARRY ERROL PIETERSE.

(a) IN GENERAL.—Notwithstanding section 212(a)(2)(A) of the Immigration and Nationality Act, and notwithstanding paragraphs (1)(A) and (2)(B) of section 241(a) of such Act (before redesignation as section 237(a) of such Act by section 305(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996), Larry Errol Pieterse may not be removed or deported from the United States or denied admission to the United States by reason of any offense for which he received a full pardon from the Governor of Florida prior to January 1, 1992.

(b) RESCISSION OF OUTSTANDING ORDER OF REMOVAL OR DEPORTATION.—The Attorney General shall rescind any outstanding order of removal or deportation, or any finding of deportability or removability, that has been entered against Larry Errol Pieterse by reason of any offense for which he received a full pardon from the Governor of Florida prior to January 1, 1992.

(c) PERMANENT RESIDENCE STATUS.—Notwithstanding any order terminating the status of Larry Errol Pieterse as an alien lawfully admitted for permanent residence, for purposes of the Immigration and Nationality Act he shall be considered lawfully admitted for permanent residence as of November 3, 1981, and such status shall be considered not to have changed between such date and the date of the enactment of this Act.

(d) ESTABLISHMENT OF GOOD MORAL CHARACTER.—Notwithstanding section 101(f) of the Immigration and Nationality Act, any offense for which Larry Errol Pieterse received a full pardon from the Governor of Florida prior to January 1, 1992, may not be considered in determining whether he is, or during any period has been, a person of good moral character for purposes of such Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.